



Box DAC

August 13, 2002

Box DAC  
Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Re: United States Patent Application  
Serial No.: 09/755,313, *divisional of 09/103,694*  
Entitled: GRADIENT SEQUENTIAL COMPRESSION SYSTEM FOR  
PREVENTING DEEP VEIN THROMBOSIS  
Date Filed: December 27, 2000  
Our Reference No.: EXT.462C1

RECEIVED  
AUG 20 2002

Dear Sir:

OFFICE OF PETITIONS

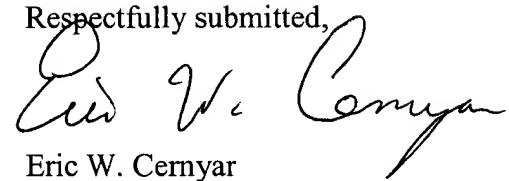
Enclosed for filing are the following documents:

1. Transmittal Form (w/ certificate of mailing thereon)
2. Fee Transmittal Form (in duplicate);
3. Petition for Revival of an Application as Unintentionally Abandoned;
4. Copy of Declaration filed in parent application 09/103,694, *of which this is a divisional*;
5. Copy of postcard associating the above-mentioned declaration with 09/103,694;
6. Revocation of Power of Attorney;
7. New Power of Attorney & Change of Correspondence Address;
8. 37 CFR § 3.73(b) statement;
9. Copies of Assignments establishing KCI Licensing's ownership of application;
- and
10. Acknowledgement post card

A July 3, 2002, Notice of Abandonment indicates that the application went abandoned for failure to respond to a Notice of Missing Parts mailed February 20, 2001. The Notice of Missing Parts indicated that the Oath or Declaration was missing. Under 37 C.F.R. 1.63(d)(1), a copy of a properly executed oath or declaration filed in a parent application can be submitted in a continuation or divisional. As reflected in the Filing Receipt and as stated in the Preliminary Amendment that was filed contemporaneously with the application, 09/755,313 is a divisional of 09/103,694. In compliance with the rules, enclosed is a Petition to Revive as Unintentionally Abandoned along with a copy of the Oath or Declaration filed in the parent application. Also enclosed is a copy of the postcard the PTO returned in 09/103,694, which associates the Oath or Declaration filed in the parent application with the parent application's serial number.

The Commissioner is requested to grant Applicants' Petition to Revive and to pass the application to examination. The Commissioner is hereby authorized to charge any additional fees that may be required to Kinetic Concepts' Deposit Account No. 500-326.

Respectfully submitted,



Eric W. Cernyar  
Reg. No. 45,919  
Kinetic Concepts, Inc.  
P.O. Box 659508  
San Antonio, TX 78265  
(210) 863-0063 (mobile)

Enclosures



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |  |                        |            |
|--|--|------------------------|------------|
|  |  | Application Number     | 09/755,313 |
|  |  | Filing Date            | 12/27/2000 |
|  |  | First Named Inventor   | Bolam      |
|  |  | Group Art Unit         | 3736       |
|  |  | Examiner Name          | DeMille    |
| Total Number of Pages in This Submission |  | Attorney Docket Number |            |
|  |  | EXT.462C1              |            |

## ENCLOSURES (check all that apply)

|  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                                       | <input type="checkbox"/> After Allowance Communication<br>to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply   | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input checked="" type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Petition to Convert to a<br>Provisional Application                             | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request   | <input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below):            |
| <input type="checkbox"/> Express Abandonment Request                                       | <input checked="" type="checkbox"/> Terminal Disclaimer  | <b>Transmittal letter;</b>  |
| <input type="checkbox"/> Information Disclosure Statement                                  | <input type="checkbox"/> Request for Refund  | <br><b>return postcard</b>  |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)                         | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | Remarks  |   |
| <input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | RECEIVED<br>AUG 20 2002<br>OFFICE OF PETITIONS   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                               |                 |
|-------------------------------|-----------------|
| Firm<br>or<br>Individual name | Eric W. Cernyar |
| Signature                     |                 |
| Date                          |                 |

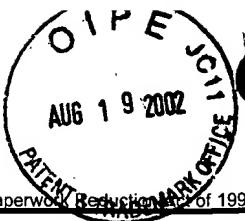
## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

8/13/2002

|                       |                        |      |                  |
|-----------------------|------------------------|------|------------------|
| Typed or printed name | Eric W. Cernyar        |      |                  |
| Signature             | <u>Eric W. Cernyar</u> | Date | <u>8/13/2002</u> |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

1410.00

Complete if Known

RECEIVED

|                      |             |
|----------------------|-------------|
| Application Number   | 09/755,3134 |
| Filing Date          | 12/27/2002  |
| First Named Inventor | Bolam       |
| Examiner Name        | DeMille     |
| Group Art Unit       | 3736        |
| Attorney Docket No.  | EXT.462C1   |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **500-326**  
Deposit Account Name **Kinetic Concepts, Inc.**

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |                        |  |
|----------------------------|----------------------------|-----------------|----------|------------------------|--|
| 101                        | 740                        | 201             | 370      | Utility filing fee     |  |
| 106                        | 330                        | 206             | 165      | Design filing fee      |  |
| 107                        | 510                        | 207             | 255      | Plant filing fee       |  |
| 108                        | 740                        | 208             | 370      | Reissue filing fee     |  |
| 114                        | 160                        | 214             | 80       | Provisional filing fee |  |

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** =      | X              | =        |
| Multiple Dependent | - 3** =      | X              | =        |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |     |  |
|----------------------------|----------------------------|-----------------|-----|--|
| 103                        | 18                         | 203             | 9   | Claims in excess of 20                                     |
| 102                        | 84                         | 202             | 42  | Independent claims in excess of 3                          |
| 104                        | 280                        | 204             | 140 | Multiple dependent claim, if not paid                      |
| 109                        | 84                         | 209             | 42  | ** Reissue independent claims over original patent         |
| 110                        | 18                         | 210             | 9   | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |  |         |
|----------------------------|----------------------------|-----------------|----------|--|---------|
| 105                        | 130                        | 205             | 65       | Surcharge - late filing fee or oath  | 130.00  |
| 127                        | 50                         | 227             | 25       | Surcharge - late provisional filing fee or cover sheet                     |         |
| 139                        | 130                        | 139             | 130      | Non-English specification  |         |
| 147                        | 2,520                      | 147             | 2,520    | For filing a request for ex parte reexamination                            |         |
| 112                        | 920*                       | 112             | 920*     | Requesting publication of SIR prior to Examiner action                     |         |
| 113                        | 1,840*                     | 113             | 1,840*   | Requesting publication of SIR after Examiner action                        |         |
| 115                        | 110                        | 215             | 55       | Extension for reply within first month                                     |         |
| 116                        | 400                        | 216             | 200      | Extension for reply within second month                                    |         |
| 117                        | 920                        | 217             | 460      | Extension for reply within third month                                     |         |
| - 118                      | 1,440                      | 218             | 720      | Extension for reply within fourth month                                    |         |
| 128                        | 1,960                      | 228             | 980      | Extension for reply within fifth month                                     |         |
| 119                        | 320                        | 219             | 160      | Notice of Appeal   |         |
| 120                        | 320                        | 220             | 160      | Filing a brief in support of an appeal                                     |         |
| 121                        | 280                        | 221             | 140      | Request for oral hearing   |         |
| 138                        | 1,510                      | 138             | 1,510    | Petition to institute a public use proceeding                              |         |
| 140                        | 110                        | 240             | 55       | Petition to revive - unavoidable   |         |
| 141                        | 1,280                      | 241             | 640      | Petition to revive - unintentional   | 1280.00 |
| 142                        | 1,280                      | 242             | 640      | Utility issue fee (or reissue)   |         |
| 143                        | 460                        | 243             | 230      | Design issue fee   |         |
| 144                        | 620                        | 244             | 310      | Plant issue fee  |         |
| 122                        | 130                        | 122             | 130      | Petitions to the Commissioner  |         |
| 123                        | 50                         | 123             | 50       | Processing fee under 37 CFR 1.17(q)  |         |
| 126                        | 180                        | 126             | 180      | Submission of Information Disclosure Stmt                                  |         |
| 581                        | 40                         | 581             | 40       | Recording each patent assignment per property (times number of properties) |         |
| 146                        | 740                        | 246             | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |         |
| 149                        | 740                        | 249             | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |         |
| 179                        | 740                        | 279             | 370      | Request for Continued Examination (RCE)                                    |         |
| 169                        | 900                        | 169             | 900      | Request for expedited examination of a design application                  |         |
| Other fee (specify) _____  |                            |                 |          |  |         |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

|                   |                        |                                   |       |           |                |
|-------------------|------------------------|-----------------------------------|-------|-----------|----------------|
| Name (Print/Type) | Eric W. Cernyar        | Registration No. (Attorney/Agent) | 45919 | Telephone | (210) 863-0063 |
| Signature         | <i>Eric W. Cernyar</i> |                                   |       | Date      | 8/13/2002      |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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